

REMARKS/ARGUMENTS

STATUS OF THE CLAIMS

Applicant has amended Claims 1, 5, 24-25, and 27-38. Applicant has cancelled Claims 9-23 and 26. Applicant presents the following remarks in the order of the numbered paragraphs of the Office Action, rather than in the order of the claims. In light of the following remarks, Applicant respectfully requests reconsideration of pending Claims 1-8, 24-25, and 27-38.

CLAIM OBJECTION – 37 C.F.R. § 1.75

Claims 9-28 stand objected to under 37 C.F.R. § 1.75 as being substantial duplicates of Claim 1 and its dependent claims. Applicant has cancelled Claims 9-23 and Claim 26. Applicant has amended Claims 24-25 and 27-28 to depend from Claim 1. Thus, the objections to Claims 9-28 are moot.

CLAIM REJECTION – 35 U.S.C. § 102

Independent Claim 29

Claim 29 stands rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 3,832,679 issued to Foley et al. (hereinafter “Foley”).

Foley discloses a highway warning system including several standards 10, each of which includes a tubular post 6 and a communication head 20. Each standard 10 also includes a switch 24 connected to a microphone 84. A motorist can approach one of the standards 10, push the switch 24, and speak to a dispatcher via the microphone 84. This is the only function disclosed in Foley for the switch 24. Foley also discloses that the standards 10 each include a speaker 92 that is connected to the dispatcher’s desk, so that the dispatcher can communicate with the motorist. The dispatcher’s desk includes a speaker 102, a microphone 104, indicator lights 106, and switches 108, with one light 106 and one switch 108 assigned to each standard 10. The switches 108 can be used to light up the standards 10 to warn other motorists of hazards.

Claim 29 specifies “an electronic controller coupled to the plurality of sound and light apparatuses.” As stated by the Examiner on page 3 of the Office Action, if the switch 24 of Foley is the “electronic controller” of Claim 29, the switch 24 is not coupled to a plurality of standards 10. Rather, each switch 24 of Foley is coupled to a single standard 10.

Claim 29 also specifies “at least one speaker separately controllable by the electronic controller to produce different sound than at least one other speaker.” However, as disclosed in Foley, the switch 24 is not connected to the speaker 92 within the standard 10. Rather, the switch 24 is only connected to the microphone 84. As a result, the switch 24 is not capable of controlling the speaker 92. Moreover, the switch 24 is not capable of separately controlling a speaker 92 in one standard 10 to produce a different sound than another speaker 92 in another standard 10.

Claim 29 further specifies “an electrical terminal operable to connect to another one of the plurality of sound and light apparatuses.” As shown in Figure 9 of Foley, each one of the standards 10 is individually connected to the dispatcher’s desk. Foley does not disclose an electric terminal for connecting one standard 10 to another standard 10.

Accordingly, Foley does not disclose “an electronic controller coupled to the plurality of sound and light apparatuses, at least one speaker separately controllable by the electronic controller to produce different sound than at least one other speaker, each housing including an electrical terminal operable to connect to another one of the plurality of sound and light apparatuses,” as required by Claim 29. Therefore, independent Claim 29 and dependent Claims 30-38 are allowable.

Dependent Claims 30, 32, and 34-36

Claims 30, 32, and 34-36 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Foley. Claims 30, 32, and 34-36 depend from independent Claim 29 and are therefore allowable for the reasons set forth above with respect to Claim 29. Claims 30 and 34 include additional patentable subject matter not specifically discussed herein.

Claim 32 specifies “wherein the electronic controller is remote from the plurality of sound and light apparatuses.” If the switch 24 of Foley is the “electronic controller” of Claim 32, the switch 24 is attached to each standard 10, rather than being remote from the standards 10. Thus, Claim 32 specifies additional patentable subject matter.

Claims 35 and 36 specify an “acoustic reflector.” Foley does not disclose an acoustic reflector. Rather, Foley discloses a bowl 16 that acts as an awning or shield to prevent rain or snow from entering a grill area 26. However, the bowl 16 does not reflect sound from the speaker 92. Thus, Claims 35 and 36 specify additional patentable subject matter.

CLAIM REJECTION – 35 U.S.C. § 103

Independent Claim 1

Claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 6,345,685 issued to Wells et al. (hereinafter “Wells”) in view of United States Patent No. 4,814,961 issued to O’Brien et al. (hereinafter “O’Brien”).

Amended Claim 1 specifies “a lamp mounted in the housing, the housing including a first plurality of outwardly extending fins positioned to direct light from the lamp; and an acoustic reflector positioned below the speaker and within a sound wave path, the housing including a second plurality of outwardly extending fins positioned circumferentially around the acoustic reflector to direct sound from the speaker.”

Wells teaches a loudspeaker system including an open-ended tubular enclosure 20, a light-emitting member 22, and a loudspeaker driver 16. As shown in Figures 6 and 7 of Wells, the loudspeaker driver 16 can be positioned to direct sound upwardly. As shown in Figure 7, Wells also teaches a deflection member 31 disposed above the loudspeaker driver 16. However, Wells does not teach or suggest a first plurality of outwardly extending fins to direct light from the light-emitting member 22, nor a second plurality of outwardly extending fins to direct sound from the loudspeaker driver 16. Wells also does not teach or suggest positioning a deflection member 31 below the loudspeaker driver 16. Rather, as shown in Figures 1 and 2 of Wells, when the loudspeaker driver 16 is positioned downward, the deflection member 31 is omitted.

Thus, Wells teaches away from the use of a deflection member 31 below the loudspeaker driver 16.

O'Brien does not cure the deficiencies of Wells. O'Brien teaches a light fixture 10 including a bulb 30 and louver assemblies 40, 42, and 44. However, O'Brien does not teach or suggest a second plurality of outwardly extending fins to direct sound from a speaker. The light fixture 10 of O'Brien does not include a speaker, fins to direct sound from a speaker, or an acoustic reflector positioned below a speaker and within a sound wave path.

Neither Wells nor O'Brien, either alone or in combination, teaches or suggests "a lamp mounted in the housing, the housing including a first plurality of outwardly extending fins positioned to direct light from the lamp; and an acoustic reflector positioned below the speaker and within a sound wave path, the housing including a second plurality of outwardly extending fins positioned circumferentially around the acoustic reflector to direct sound from the speaker," as required by amended Claim 1. Accordingly, independent Claim 1 and dependent Claims 2-8, 24-25, and 27-28 are allowable.

Dependent Claims 2-8, 25, and 28

Claims 2-8, 25, and 28 stand rejected under U.S.C. § 103(a) as being unpatentable over Wells in view of O'Brien. Claims 2-8, 25, and 28 depend from independent Claim 1 and are therefore allowable for the reasons set forth above with respect to Claim 1. Claims 2-8, 25, and 28 also include additional patentable subject matter not specifically discussed herein.

Dependent Claim 24

Claim 24 stands rejected under U.S.C. § 103(a) as being unpatentable over Wells in view of O'Brien and further in view of United States Patent No 4,953,223 issued to Householder (hereinafter "Householder"). Claim 24 depends from independent Claim 1 and is therefore allowable for the reasons set forth above with respect to Claim 1. Claim 24 also includes additional patentable subject matter not specifically discussed herein.

Dependent Claim 27

Claim 27 stands rejected under U.S.C. § 103(a) as being unpatentable over Wells in view of O'Brien and further in view of United States Patent No 6,634,768 issued to McKenzie et al. (hereinafter "McKenzie"). Claim 27 depends from independent Claim 1 and is therefore allowable for the reasons set forth above with respect to Claim 1. Claim 27 also includes additional patentable subject matter not specifically discussed herein.

Dependent Claim 31

Claim 31 stands rejected under U.S.C. § 103(a) as being unpatentable over Foley in view of Householder. Claim 31 depends from independent Claim 29 and is therefore allowable for the reasons set forth above with respect to Claim 29. Claim 31 also includes additional patentable subject matter not specifically discussed herein.

Dependent Claim 33

Claim 33 stands rejected under U.S.C. § 103(a) as being unpatentable over Foley in view of United States Patent No 6,060,979 issued to Eichsteadt (hereinafter "Eichsteadt"). Claim 33 depends from independent Claim 29 and is therefore allowable for the reasons set forth above with respect to Claim 29. Claim 33 also includes additional patentable subject matter not specifically discussed herein.

Dependent Claim 37

Claim 37 stands rejected under U.S.C. § 103(a) as being unpatentable over Foley in view of O'Brien. Claim 37 depends from independent Claim 29 and is therefore allowable for the reasons set forth above with respect to Claim 29. Claim 37 also includes additional patentable subject matter not specifically discussed herein.

Dependent Claim 38

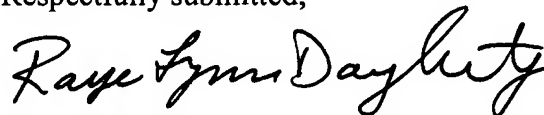
Claim 38 stands rejected under U.S.C. § 103(a) as being unpatentable over Foley. Claim 38 depends from independent Claim 29 and is therefore allowable for the reasons set forth above with respect to Claim 29.

In addition, Claim 38 specifies “wherein the plurality of sound and light apparatuses include a plurality of lamps that are responsive to a signal generated by the electronic controller.” If the switch 24 of Foley is the “electronic controller” of Claim 38, the switch 24 is not capable of controlling a plurality of lamps 80 in a plurality of standards 10. Rather, each switch 24 is only capable of controlling a single microphone 84 in each standard 10. Thus, Claim 38 specifies additional patentable subject matter.

CONCLUSION

In light of the above, Applicant respectfully requests reconsideration and allowance of pending Claims 1-8, 24-25, and 27-38.

Respectfully submitted,



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